

IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

NANCY SLEGER

PLAINTIFF

V.

FILED
JAN 05 2021
DYNIELADNER
CIRCUIT CLERK
BY: *[Signature]*

CAUSE NO.

A2401-2021-002

D.C.

AMERICAN FACTORY DIRECT, LLC

DEFENDANT

COMPLAINT FOR DAMAGES

COMES NOW the Plaintiff, NANCY SLEGER, by and through undersigned counsel, and files this, her COMPLAINT FOR DAMAGES against the Defendant, AMERICAN FACTORY DIRECT, LLC, and for cause of action would show unto this Honorable Court as follows:

PARTIES

1. Plaintiff, NANCY SLEGER, is an adult resident citizen of Harrison County, Mississippi, of the full age of majority.
2. Defendant, AMERICAN FACTORY DIRECT, LLC, is a Mississippi limited liability company organized according to the Mississippi Limited Liability Company Act, Miss. Code Ann. §§ 79-29-101, et seq., that may be served by delivering a Summons and a copy of the Complaint to its registered agent, C T Corporation System at 645 Lakeland East Drive, Suite 101, Flowood, MS 39232.

JURISDICTION AND VENUE

3. Jurisdiction and venue are proper in this Honorable Court as all tortious acts and/or omissions alleged herein occurred within the jurisdictional limits of Harrison County, Mississippi,

**EXHIBIT
A**

FACTS

4. On or about January 6, 2018, Nancy Sleger visited Defendant's furniture showroom, namely American Factory Direct Furniture Outlets in Long Beach, Mississippi, where she had previously purchased furniture and where she intended to do more business on that day.

5. On January 6, 2018, as Plaintiff was browsing and shopping in Defendant's showroom, one of Defendant's sales associates led Nancy Sleger through different floor displays.

6. Among the floor displays was an area rug laying on the ground in Defendant's showroom, and the sales associate assisting Nancy Sleger led her through the displays and past the aforementioned area rug.

7. The area rug referenced herein was not roped off, nor were there any warning signs to indicate a potential tripping hazard; furthermore, there was no signage to indicate that the area rug obscured any other objects or potential tripping hazards.

8. As the sales associate led Plaintiff past the area rug, she caught her foot on the display rug that was obscuring a stack of rugs hidden underneath, causing Plaintiff to slip and fall.

9. Plaintiff suffered serious and permanent injuries in the complained slip and fall, including but not limited to a broken right shoulder and two broken ribs. Plaintiff further suffered complications causally related to the complained injuries that resulted in her being hospitalized between Memorial Hospital Gulfport, Mississippi, and Ochsner Hospital in New Orleans, Louisiana, for more than three (3) months.

NEGLIGENCE

10. Plaintiff incorporates herein by reference the allegations of Paragraphs 1 through 9, as if more fully set forth here in words and figures.

11. Defendant, AMERICAN FACTORY DIRECT, LLC, owed Plaintiff, NANCY SLEGER, a duty of care to provide a reasonably safe property, and further owed Plaintiff a duty of care to warn of hidden danger or perils on their premises. Defendant breached the duty of care owed to Plaintiff, and such breach was the proximate cause of the injuries and damages sustained by the Plaintiff in the aforementioned slip and fall accident. Defendant's negligence includes, but is not limited to, the following particulars:

- a. Failing to properly maintain the property in a safe condition, including but not limited to creating and/or failing to remedy dangerous conditions on the property, more particularly, the area rug display causing injury;
- b. Failing to properly supervise the premises in order to provide Plaintiff and others a safe and secure premises, free from dangerous defects that were known, or should have been known by Defendant, to create a risk of serious physical harm to Plaintiff and others;
- c. Failing to provide adequate signage or warnings related to the complained area rug/rugs display;
- d. Failing to maintain the premises owned by Defendant in a good and safe condition;
- e. Failing to exercise the degree of care required under the circumstances;

- f. Other such and further acts of negligence to be proved at the trial of this cause.

DAMAGES AND DEMAND

12. Plaintiff incorporates herein by reference the allegations of Paragraphs 1 through 11, as if more fully set forth here in words and figures.

13. Plaintiff, Nancy Sleger, suffered serious and permanent injuries and substantial monetary damages as the proximate result of the negligence of the Defendant, as shown hereinabove. As such, Plaintiff sues and demands recovery of damages as follows:

- a. Personal injury to Plaintiff, Nancy Sleger, including but not limited to past, present, and future mental and physical pain and suffering; past, present, and future medical bills; past, present, and future disability; past, present, and future loss of enjoyment of life; past, present, and future lost wages; past, present, and future loss of wage earning capacity.

WHEREFORE, Plaintiff prays that, after due proceedings had, there be judgment in her favor and against the Defendant in an amount necessary to reasonably compensate her for the damages complained herein, for all costs of court, and for legal interest as provided by law.

Respectfully submitted,

BY: NANCY SLEGER

BY:

A handwritten signature in black ink, appearing to read "Reed S. Bennett", written over a horizontal line.

Reed S. Bennett (MS Bar 103233)
Law Offices of Reed S. Bennett, PLLC
2501 14th Street, Suite 211
Gulfport, MS 39501
(t) 228-865-1008
(f) 228-865-1009

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FIRST JUDICIAL DISTRICT

NANCY SLEGER

PLAINTIFF

V.

CAUSE NO. A2401-2021-002

AMERICAN FACTORY DIRECT, LLC

DEFENDANT

SUMMONS

You are hereby notified to serve this Summons and a copy of the Complaint in this action on:

AMERICAN FACTORY DIRECT, LLC
By and Through their Registered Agent
C T Corporation System
645 Lakeland East Drive, Suite 101
Flowood, MS 39232

NOTICE TO DEFENDANT

**THE COMPLAINT ATTACHED TO THIS SUMMONS IS IMPORTANT
AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.**

You are required to mail or hand-deliver a copy of a written response to the complaint to Reed S. Bennett, Law Offices of Reed S. Bennett, PLLC, the attorney for the Plaintiff, whose street address is 2501 14th Street, Suite 211, Gulfport, MS 39501. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint or a judgment of default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the clerk of this court within a reasonable time afterward.

Issued under my hand and the seal of said court, this 5 day of

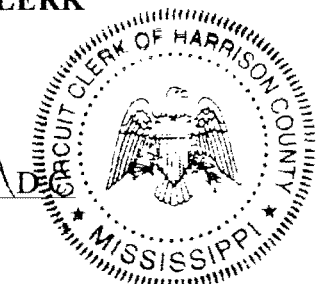
January, 2021.

CONNIE LADNER, CIRCUIT CLERK
HARRISON COUNTY, MS

(SEAL)

By: 

CONNIE LADNER, CIRCUIT CLERK
HARRISON COUNTY
PO BOX 998
GULFPORT, MS 39502



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FIRST JUDICIAL DISTRICT

NANCY SLEGER

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CAUSE NO. A2401-2021-002

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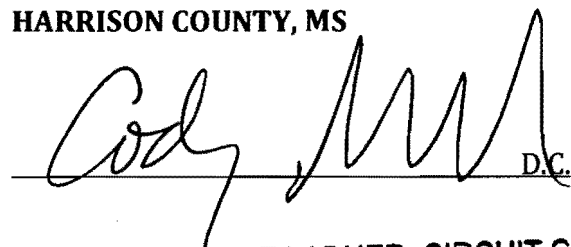
Issued under my hand and the seal of said court, this 7 day of

April, 2021.

CIRCUIT COURT CLERK
HARRISON COUNTY, MS

(SEAL)




D.C.

CONNIE LADNER, CIRCUIT CLERK
HARRISON COUNTY
PO BOX 998
GULFPORT, MS 39502

PROOF OF SERVICE

Case: A2401- 2021-002	Court: CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI, FIRST JUDICIAL DISTRICT	County: HARRISON	Job: 5553741
Plaintiff / Petitioner: NANCY SLEGER		Defendant / Respondent: AMERICAN FACTORY DIRECT, LLC	
Received by: Quantum Process, LLC		For: Christopher G. Holt Attorney at Law	
To be served upon: AMERICAN FACTORY DIRECT, LLC c/o CT Corporation System, Registered Agent			

AMERICAN FACTORY DIRECT, LLC c/o CT Corporation System, Registered Agent Name of Person or Entity Served
I, Terry Keith, served the SUMMONS AND COMPLAINT FOR DAMAGES upon the person or entity named above in the manner set forth below:

PERSONAL SERVICE. I personally delivered copies to Matt Thibodeaux, Legal Assistant on Apr 21, 2021 at 2:09 pm , where I found said person(s) in the County of RANKIN MS.

Address where served: 645 LAKELAND EAST DR, STE 101, FLOWOOD, MS 39232

At the time of service I was at least 18 years of age and not a party to this action.

Personally appeared before me the undersigned authority in and for the state of County aforesaid, the within named Terry Keith who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service" are true and correct as therein stated.

Adopted effective March 1, 1985; amended effective May 2, 1985, amended March 17th 1995.

Terry Keith 04/21/21
Terry Keith Date

Quantum Process, LLC
418 Pittman Rd.
Ellisville, MS 39437
(601)800-2004

ID: 5553741
Client Reference:

State of MS
County of JONES
Subscribed and sworn to before me, a notary public
Bridget Smith
Notary Public

Commission Expires



IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
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April, 2021.

CIRCUIT COURT CLERK
HARRISON COUNTY, MS

By:

CONNIE LADNER, CIRCUIT CLERK
HARRISON COUNTY
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(SEAL)